

### **REMARKS**

The following remarks are responsive to the Office Action of January 14, 2009.

At the time of the Office Action, claims 1-20 were pending. Claims 1, 3, 6, 9-12, 15, and 18 are amended. No new matter has been added. Claims 1, 6 and 9 were rejected under 35 U.S.C. §112, second paragraph. Claims 11 and 18-20 were rejected under 35 U.S.C. §112, first paragraph. Claims 1-8, 11, 12-14 and 18-20 were rejected under 35 U.S.C. §101. Claims 1-20 were objected to due to informalities with numbering of the claims. Claim 3 was objected to due to a minor language informality. The abstract and the disclosure of the application are also objected to. Applicants traverse the rejections and assert that the amended claims are allowable.

### **Interview Summary of 24 March 2009**

Gregory Grace and Examiner Zewdu were present for a telephone interview. It was agreed that Fig. 4 was part of the drawings. It was agreed that Applicants would resubmit the amendment to the Abstract. It was agreed that the headings objected to as missing from the specification were included as part of the preliminary amendment filed on March 27, 2006. It was agreed that the claims did not need to be renumbered. It was agreed that specifying a processor as the actor in claims 1 and 11 would overcome the 35 U.S.C. 101 rejections. It was agreed that adding “wireless” to entities would overcome 35 U.S.C. 112 rejections. It was agreed that there was no prior art of record that either anticipated or rendered obvious the claims.

### **Drawing Objection**

Fig. 4 is included in the drawings on page 2. Withdrawal of the objection is requested.

### **Specification Objections**

An Abstract is provided with this paper. The heading “brief description of the drawings” and “detailed description of the drawings” may be found in the preliminary amendment filed on March 27, 2006, which can be found on PAIR. Withdrawal of the objections to the specification is requested.

**Claim Objections**

**Claims 1-20 are Numbered Correctly**

The claims are objected to for not renumbering the claims. But, the preliminary amendment did not cancel the first 11 claims, but rather amended the first 11 claims and added new claims. Withdrawal of the objection to the numbering of the claims is requested.

**Claim 3**

Claim 3 is amended to recite “consists of storing” instead of “consists in storing” as required by the office action. Withdrawal of the objection to claim 3 is requested.

**Claim Rejections Under 35 U.S.C. § 112**

**Claim 1**

“[T]he messages sent by the sending entity” has been amended to “messages sent by the sending entity.” There is no need to find an antecedent for the amended language.

**Claims 6, 12, 15, 18**

Claims 6, 12, 15, and 18 are amended to remove “the” from “the adjacent entities not belonging to.” There is no need to find an antecedent for the amended language.

**Claims 9, 10, and 11**

“[T]he messages sent by the sending entity” has been amended to “messages sent by the sending entity.” There is no need to find an antecedent for the amended language.

Withdrawal of the rejections to claims 1, 6, 9-12, 15, and 18 is requested.

**Claim Rejections Under 35 U.S.C. § 101**

**Claims 11 and 18-20**

Claims 11 and 18-20 are amended to include “embedded in a computer readable medium” as required by the office action. Additionally, “program product” was included in the original claims filed at the USPTO and as such they are part of the disclosure. Withdrawal of the rejections to claims 11 and 18-20 is requested.

**Claims 1-8 and 12-14**

Claims 1 and 11 are amended to recite the limitation “a processor.” Withdrawal of the rejection to claims 1-8 and 12-14 is requested.

In re Appln. of Simon, et al.  
Application No. 10/573,509  
Response to Office Action of January 14, 2009

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

/mark bergner/

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